IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 77 (S/S) 2003

Smt. Savitri Devi -----Petitioner

Vs.

State of Uttaranchal and others. ----Respondents.

Hon'ble P.C. Verma, J.

By means of this writ petition, the petitioner has prayed for quashing the impugned orders dated 01.04.2000, and dated 26.12.2000, contained in Annexure Nos.2 & 3 respectively to the writ petition.

By order dated 01.4.2000, the petitioner has been relieved exparte in compliance of the order dated 14.03.2000. The order dated 14.03.2000 has been filed with the counter affidavit, which was issued by Director General, Medical and Health Services prior to the appointed day accepting the option of the applicant The name of the petitioner also finds place in the list of the applicants who were transferred It has been stated that the petitioner did not opt and her name was listed in the order dated 14.03.2000. It is not open to the petitioner to challenge the order dated 14.03.2000. The petitioner has further prayed to quash order dated 26.12.2000. By order dated 26.12.2000, charge was handed over by the petitioner to Smt. Vimla Purohit in the presence of In-charge Medical Officer. The petitioner cannot challenge the impugned order. Therefore, the relief No.1 cannot be granted to the petitioner. So far as arrears of salary and other benefits are concerned, this is open for the petitioner to approach the State of I.P. from where she was relieved. If any representation of the petitioner is pending with the State of U.P. claiming arrears of salary and pensionary benefits, the same shall be decided within a period of two months from the date of production of certified copy of this order.

Subject to above, the writ petition is dismissed.

24.9.2003:

NCM

(P.C. Verma, J.)